UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/366,064	08/02/1999	JASON ROBERT MALAURE	GIL4-BH60	2626

909 7590 06/08/2007

PILLSBURY WINTHROP SHAW PITTMAN, LLP
P.O. BOX 10500
MCLEAN, VA 22102

EXAMINER	
HUYNH, SON P	

ART UNIT	PAPER NUMBER
2623	

MAIL DATE	DELIVERY MODE
06/08/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/366,064	MALAURE ET AL.	
	Examiner	Art Unit	
	Son P. Huynh	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *03* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 March 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-9 and 11-22* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-9 and 11-22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *16 June 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 3/19/2007 have been fully considered but they are not persuasive.

Applicant argues an interactive application as recited in claim 1 is not taught or suggested by program guide data as taught by Lemmons, and an executable computer code component as recited in claim 1 is not taught by HTML, DHTML, or HML as taught by Lemmons because the program guide data in markup languages is more appropriately deemed "data" and not "executable code", Lemmons teaches ...without downloading an entire new program guide application, without modifying the code of the application, interactive television program guide is implemented in user television equipment; thus, Lemmons does not teach delivering an interactive application including an executable computer code component to a target platform. In fact, Lemmons clearly teach away from interpretation provided by the Examiner in that the system of Lemmons does not download an interactive application to the user equipment (page 7-page 9, paragraph 2).

In response, these arguments are respectfully traversed.
It is noted that the sections applicant pointed out in Lemmons, column 1, lines 28-37 is in "background of the invention" section of the Lemmons reference. Furthermore,

Lemmons indicates "...user television equipment on which an interactive television program guide is implement" or "...display screens may be modified by downloading markup language documents...without modifying the code of the application." However, there is nowhere in the reference indicates that Lemmons does not teach or prohibit "delivering an interactive application including an executable computer code component to a target platform." In fact, Lemmons discloses delivering program listings data (e.g., program times, channel, title, etc.) and other program listings information for additional services other than television program listings (e.g., associated Internet web links, COMPUTER SOFTWARE, etc.), and markup language documents wherein the markup language documents include the code of any suitable markup language to user television equipment (see include, but is not limited to, col. 3, lines 20-52); the interactive television application is transmitted to the user television equipment (see include, but are not limited to, col. 4, lines 40-60, incorporated by reference (US 6,820,278) in its entirety: col. 3, lines 17-33). The information in the interactive television application, markup language, etc. is interpreted/executed to generate an interactive display screen (see include, but are not limited to, col. 3, lines 20-47, col. 6, lines 6-62, col. 9, line 1-55). Thus, the interactive application (interactive television application, markup language, etc.) must include an executable computer code component (e.g., code of computer software, or code of markup language, or code of the interactive television application) so the information in the markup language, computer software, interactive television application information, etc. is interpreted/executed to provide interactive television listings.

Therefore, Lemmons does not teach away from delivering interactive application. Lemmons discloses delivering an interactive application including an executable computer code component (e.g. code of software program, code of interactive application, code of markup language) to a target platform (e.g., user television equipment).

In response to applicant's argument that there is no suggestion to combine the references (page 9, paragraph 5), the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the motivation is found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. In particular, Yurt discloses a system for transmitting television program and other information such as program title, time, etc. over communication networks to the users. The users can request/search available programs from a screen (see include, but are not limited to, figures 2a-2b, col. 10, lines 45-51, col. 13, line 55-col. 14, line 51). Lemmons also discloses a system for transmitting television program and other information such as program title, program time, description, etc. over communication networks to the users (see include, but are not limited to, figure 1, col. 3, lines 20-52). Lemmons further discloses providing

interactive application comprised a set of application components (e.g., markup language documents, computer software, interactive television application, etc.) including executable computer code component and a data component (executable computer code component and data component of interactive television application, markup language document, computer software, etc.). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Yurt to use the teaching of delivering interactive application comprises a set of application component including computer executable code as taught by Lemmons in order to allow use to navigate through the information program listing and located desired information easily, or to download and display characteristics of user screens and program guide functionality as plug-in anytime, without modifying the code of the application (see col. 1, lines 20-48).

Therefore, the combination of the references is proper.

In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning (page 9, paragraph 5), it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA

1971). In this case, Yurt discloses a system for transmitting television program and other information such as program title, time, etc. over communication networks to the users. The users can request/search available programs from a screen (see include, but are not limited to, figures 2a-2b, col. 10, lines 45-51, col. 13, line 55-col. 14, line 51). Lemmons also discloses a system for transmitting television program and other information such as program title, program time, description, etc. over communication networks to the users (see include, but are not limited to, figure 1, col. 3, lines 20-52). Lemmons further discloses providing interactive application comprised a set of application components (e.g., markup language documents, computer software, interactive television application, etc.) including executable computer code component and a data component (executable computer code component and data component of interactive television application, markup language document, computer software, etc.). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Yurt to use the teaching of delivering interactive application comprises a set of application component including computer executable code as taught by Lemmons in order to allow use to navigate through the information program listing and located desired information easily, or to download and display characteristics of user screens and program guide functionality as plug-in anytime, without modifying the code of the application (see col. 1, lines 20-48).

For the reasons given above, rejections on claims 1-9, 11-22 are analyzed as discussed above.

Claim 10 has been cancelled.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1, 4-9, 11-22 are rejected and claims 6, 12-13, 15-17, 19-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yurt et al. (US 5,550,863) in view of Lemmons et al. (US 6,442,755).

Regarding claim 1, Yurt discloses teaches a method of delivery different types of materials including, television programs, movies, audio recordings, still pictures, files, documents of various sort, program notes, etc. to a plurality of "target platforms" (reception apparatuses 200, 200', 200" or devices at user site) via broadcast medium–see include, but not limited to, figures 1b,1c,1e, 1g, 2a-2b, col.6, lines 5-18; col. 11, line 55-col. 12, line 3, col. 14, lines 27-51), each of the plurality of target platforms operating in connection with a different broadcast network (each of reception apparatus or device at user site connected with different broadcast network such as satellite network, cable

network, telephone network, ISDN network, B ISDN network, LAN, or MAN – figures 1c, 1g, 2b). Yurt further discloses transmission format conversion CPU coupled to each network and encodes the data for the transmission channel type such as standard telephone, ISDN or B-ISDN, microwave, DBS, cable television system, MAN, high speed modem, etc., which is used to deliver the data to the reception system 200 (figure 2b, col. 15, lines 1-52,col. 16, lines 9-22). Inherently, each of broadcast network such as satellite network, MAN network, ISDN network, B-ISDN network, telephone network, etc. operating a respectively different broadcast protocol, the method comprising:

providing the materials such as files, document, audio, video, program notes, etc. comprises a set of component such as audio block, video block, program title, etc. (see include, but are not limited to, figures 2a-2b, 8a-8b);

converting the materials into a first stream of broadcast data (e.g. stream of broadcast data for later provided to ISDN network), the first broadcast data conforming with a broadcast protocol of a first broadcast network and a first of the plurality of target platform (e.g. the broadcast data suitable with broadcast channel of the ISDN network and the plurality of receptions systems 200, devices at user sites coupled to ISDN network – figures 1c, 1g, 1f, 2b, col. 14, line 62-col. 15, line 52, col. 16, lines 9-22);

converting the materials into a second stream of broadcast data (e.g. stream of broadcast data for later provided to LAN network, or cable TV network), the second broadcast data conforming with a broadcast protocol of a second broadcast network and a second of the plurality of target platform (e.g. the broadcast data suitable with broadcast channel of the Satellite network, or cable TV network and the plurality of

receptions systems 200, devices at user sites coupled to Satellite network, or cable network – figures 1c, 1g, 1f, 2b, col. 14, line 62-col. 15, line 52, col. 16, lines 9-22);

delivering the first stream of broadcast data to the first of the plurality of target platforms , delivering the second stream of broadcast data to the second of plurality of target platforms (delivering stream of broadcast data encoded/formatted suitable for transmission over ISDN channel type over ISDN network to the receptions systems /user devices coupled to ISDN network, and delivering stream of broadcast data encoded/formatted suitable for transmission over Satellite channel type/cable TV channel type over satellite network/cable TV network to reception systems/user devices coupled to Satellite network/cable TV network - figures 1c, 1g, 1f, 2b, col. 14, line 62-col. 15, line 52, col. 16, lines 9-22);

wherein materials is delivered to the first and the second of the plurality of target platforms via different broadcast networks each operating different broadcast protocol (the materials delivered to the reception system/user devices coupled to ISDN network via ISDN network operating broadcast protocol used for ISDN, and materials delivered to the receptions systems/user devices coupled to Satellite network/cable TV network via Satellite network or cable TV network operating broadcast protocol used for Satellite or used for cable TV – figures 1c, 1g, 1f, 2b, col. 14, line 62-col. 15, line 52, col. 16, lines 9-22). However, Yurt also discloses user do a search of available programs or select an item from computer screen – col. 14, lines 25-32). However, Yurt does not specifically disclose the material is interactive application comprises a set of application

components, the set of application components including an executable computer code component.

Lemmons discloses a system comprises a main facility for selecting program guide data for transmission to plurality of distribution facilities 16 over communication link 18. Each of the distribution facility 16 then selects program guide data for transmission to plurality of user television equipment 22 via communication paths 20. Communication link 18 or communication paths 20 comprises a satellite link, a telephone network link, a cable or fiber optic link, a microwave link, a combination of such link s, or any other suitable communication path (figure 1, col. 3, line 1-col. 4, line 13). User television equipment comprises a set top box, an advanced television receiver, personal computer television (PC/TV), or any other suitable platforms (figures 1-3, col. 5, lines 35-50). The program guide data transmitted to television distribution facilities and then to user television equipments includes television program listings data (e.g., program times, channels, titles, and descriptions) and other program listings information from additional services other than television program listings (e.g. weather information, associated Internet Web links, computer software, etc.). It may also contain markup language documents such as HTML, DHTML, or XML documents for updating the display screen layouts and functionality of a program guide, and the documents contain HLML, DHTML, or XML code. The program guide is programmed to interpreted the markup language documents and are generate the display screen and provide program guide functionality according the documents (see include, but not limited to, col. 3, lines 20-52, see also incorporated by reference (US 6,820,278 B1) in its entirety:

col. 3, lines 17-33). Thus, the limitation of delivering an interactive application to a plurality of target platforms is read on delivering program guide data (interactive program application information, program listings data, markup language document, program listings information for additional services), to plurality of television distribution facilities or plurality of user television equipments; "the interactive applications comprises of a set of application components, the set of application components including an executable computer code component and a data component" is read on the program guide data (interactive program application information, program listings data, markup language document, program listings information for additional services) comprises a set of application components including computer executable code such as computer software, code of HTML, DHTML, or HML, or code of interactive television application, etc., and program listings data such program times, channels, titles, etc. or other program listings information for additional services such as associated Internet Web link, weather information, etc.; The different broadcast network is alternatively interpreted as satellite link, cable link, fiber optic link, etc. Inherently, each network such as cable, satellite, telephone, etc. has different broadcast protocol. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Yurt to use the teaching of delivering interactive application comprises a set of application component including computer executable code as taught by Lemmons in order to allow use to navigate through the information program listing and located desired information easily, or to download and display characteristics of user screens

and program guide functionality as plug-in anytime, without modifying the code of the application (see col. 1, lines 20-48).

Regarding claim 4, Yurt in view of Lemmons teaches a method as discussed in the rejection of claim 1. Yurt further teaches the step of converting comprises selecting (e.g. retrieve only requested formatted data block – col. 13, lines 1-9), or adapting for different data transmission mechanism (convert formatted data block into a format suitable for transmission – col. 13, lines 9-15; col. 15, lines 1-19).

Regarding claim 5, Yurt in view of Lemmons teaches a method as discussed in the rejection of claim 1. Yurt further discloses receiving and processing return data from one or more of the target platforms (interpreted as receiving request for item/formatted data blocks from one of the reception system/device at user site and processing the request to transmit requested item/formatted data block – see include, but not limited to, figure 2b, col. 14, lines 45-52). Alternatively, Lemmons also discloses receiving and processing return data from one or more of the target platforms (e.g. poll user equipment for certain information and process them, or receive request for particular data at the server/distribution facility and process the request– see include, but not limited to, col. 3, line 60-col. 4, line 13).

Regarding claim 6, Yurt in view of Lemmons teaches a method as discussed in the rejection of claim 5. Lemmons further discloses the interactive application comprises

HTML, DHTML, XLM code and program listings data, computer software, etc.- col. 3, lines 20-41. It would have been obvious to one of ordinary skill in the art that the interactive application comprises a game (e.g. sport game, television game) and the return data comprises game-play input (e.g. trivia question about the game, or request to play the sport game) in order to allow user to request and play the game, thereby improve interest to the user.

Regarding claim 7, Yurt in view of Lemmons teaches a method as discussed in the rejection of claim 1. The additional limitation of "each target platform comprises an application processor " is either met by transceiver, format conversion, decompression, data format for process the data block and program notes (see yurt, include, but not limited to, figure 6) or control circuitry of set top box for processing program guide data comprises program listings data, HTML, DHTML, XML code, and other information – figures 2-3, col. 4, lines 40-50, col. 4, line 63-col. 5, line 67).

Regarding claim 8, Yurt in view of Lemmons discloses a method as discussed in the rejection of claim 7. Yurt further discloses the manager keeps track of the user ID, the user channel type, the compressed data library media type (for example, high speed or low speed). From this information, the manager program makes best use of the available distribution channels and media for efficient transmission and storage of the requested item. The data is converted to suitable format for transmission according to this information (col. 13, lines 1-15; col. 14, line 61-col. 15, line 53; col. 52). It is obvious

to one of ordinary skill in the art that the application processor is interrogated to determine the data capability of the application processor (e.g. type of channel, high speed media type or low speed media type, etc.), and the data is downloaded/ transmitted and stored in accordance with the determined data capability of the application processor in order to make best use of the available distribution channel and media for efficient transmission and storage of requested data.

Regarding claim 9, the limitations of the apparatus as claimed correspond to the limitations of the method as claimed in claim 1, and are analyzed as discussed with respect to the rejection of claim 1.

Regarding claim 11, Yurt in view of Lemmons teaches a method as discussed in the rejection of claim 1. The additional limitation of "the set of application components further comprises one or more of executable program files, bit maps, sound samples, real time data instruction, and video clips" is interpreted either by executable program note, audio file, video file, document files (see Yurt, include, but not limited to, figures 8a-8e, col. 6, lines 5-18, col. 14, line 27-col. 15, line 52), or program guide data comprises program listings data, computer software, HTML, DHTML, XML code for used to display interactive program screen window, video window, etc. at different size, font, color on the screen – see Lemmons, include, but not limited to, col. 3, lines 20-40, figures 4-10).

Regarding claim 12, Yurt in view of Lemmons teaches a method as discussed in the rejection of claim 4. Yurt further discloses converting the data into the format suitable for transmission (figure 2b, col. 13, lines 10-15; col. 16, lines 1-22). It is obvious to one of ordinary skill in the art that the converting comprises substituting an application component with an alternative component on one of the broadcast data streams (e.g. substituting data component in original formatted with converted formatted data component format suitable for transmission) so that a suitable data for transmission is produced; allowing the manager program makes best use of available channels and media for efficient transmission and storage of the requested item (col. 15, lines 1-6).

Regarding claim 13, the additional limitations correspond to the additional limitations of claim 12, and are analyzed as discussed with respect to the rejection of claim 12, wherein "means for substituting" is met by manger, transmission format conversion CPU, transmitter – figure 2b, col. 13, lines 10-15; col. 16, lines 1-22.

Regarding claim 14, the additional limitation "each target platform comprises a plurality of application processors" is neither interpreted as each reception system 200 comprises transceiver 201, receiver format conversion 202, decompression video 208, decompression audio 209, output format conversion 206, 211-214 – see Yurt, figure 6, or each user television equipment 22 comprises a plurality application processors in set top box, in secondary storage device, in television – see Lemmons, include, but are not limited to, figures 2-3, 8-10.

Regarding claim 15, Yurt in view of Lemmons teaches a method as discussed in the rejection of claim 14. Yurt further discloses storing the content for later playback at particular location (col. 16, lines 55-63; col. 17, lines 32-62). However, neither Yurt nor Lemmons specifically disclose the converting step compensates for timing differences between the broadcast networks in handling the broadcast data so as to temporally synchronize the broadcast data at each application processor. Official Notice is taken that compensating timing difference between the broadcast networks in handling the broadcast data to temporally synchronize the broadcast data at each application processor is well known in the art. For example, adding different amount of time according to the distance between the transmit device and receive device, or according to type of network so that the data received at the same time at different receiver at different geographic locations. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Yurt in view of Lemmons with the well-known teaching in the art in order to improve fairness, improve interesting for user to view particular type of content (e.g. result of a game, lottery, etc.).

Regarding claim 16, Yurt further discloses the user want to play back the requested item from the source material library 111 at a time later than when initially requested. The content is stored until it requested to playback – see include, but not limited to, col. 5, lines 10-18; col. 14, lines 20-26; col. 17, lines 32-43). Thus, the additional limitation of the compensation is achieved by selecting delaying broadcast of data to the target

platform is interpreted as selecting to store the requested data for playback at the particular reception apparatus as the later time.

Regarding claim 17, Yurt further discloses the user want to play back the requested item from the source material library 111 at a time later than when initially requested. The content is stored until it requested to playback – see include, but not limited to, col. 5, lines 10-18; col. 14, lines 20-26; col. 17, lines 32-43) The information of the playback time is entered by the operator based on user request (see include, but not limited to, col. 14, lines 21-26). Thus, the additional limitation of the compensation is achieved by including timing information in the broadcast data is interpreted as the operator enter user request time for playback the requested data at later time.

Regarding claims 18-22, the additional limitations of the apparatus correspond to the additional limitations of the method as claimed in claims 7, 14-17 respectively, and are analyzed as discussed with respect to the rejection of claims 7, 14-17.

4. Claims 2-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yurt et al. (US 5,550,863) in view of Lemmons et al. (US 6,442,755) as applied to claim 1 above, and further in view of Knudson et al. (US 6,536,041).

Regarding claim 2, Yurt in view of Lemmons teaches a method as discussed in the rejection of claim 1. Yurt further discloses the operator enters user request into the

system for transmission of the content (col. 14, lines 22-26) and converting the data into a stream conforming with the broadcast protocol of the first broadcast network and the first of the plurality of target platform and converting the data into a stream of real time broadcast conforming with the broadcast protocol of the second broadcast network and the second of the plurality target platform and delivery each stream of data to its respectively target platform (see figure 2b and discussed above). The content is converted into a format suitable for playback by the user in real time (col. 17, lines 28-31). However, neither Yurt nor Lemmons specifically discloses converting inputted real time application data.

Knudson discloses selecting real time information inputted by real time data source for transmitting to different networks such as satellite network, telephone network, cable network, etc. to different television distribution facilities and then to different user television equipment (see include, but not limited to, figure 1, col. 5, line 40-col. 6, line 43) reads on converting real time application data into a stream of real time broadcast data conforming with the broadcast protocol of first broadcast network, second broadcast network and delivering each stream of real time broadcast data to its respectively target platform. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Yurt in view of Lemmons to use the teaching as taught by Knudson in order to provide real time information to different user device connected to different network thereby improve user interest in watching the content, or notify latest change to the users.

Regarding claim 3, Yurt in view of Lemmons and Knudson teaches a method as discussed in the rejection of claim 2. Knudson further discloses storing the application components and/or the real time application data in a data store (interpreted as store real time information and/or program guide information in database 24, 57 -see include, but not limited to, col. 2, lines 26-43; col. 7, lines 10-35; col. 8, line 50-col. 38);

retrieving the application components and/or the real time application data from the data store before converting it into a stream of broadcast data (interpreted as retrieving program guide data and/or real time information from database 24 or database 57 before converting it into a stream of broadcast data suitable for transmission over cable network, or satellite network, or telephone network, or fiber optic network, etc. (figures 1, 4,9-11, col. 5, line 28-col. 6, line 67, col. 8, line 49-col.10, line 29, col. 10, line 43-col. 11, line 53).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Adams et al. (US 6,237,030 B1) discloses method for extracting hyperlinks from a display document and automatically retrieving and displaying multiple subordinate documents of the display documents.

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Son P. Huynh whose telephone number is 571-272-7295. The examiner can normally be reached on 9:00 - 6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher S. Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Son P. Huynh

June 1, 2007

SCOTT E. BELIVEAU
PRIMARY PATENT EXAMINER